

# FISCAL NOTE

**Bill #:** HB0721

**Title:** Montana Drug Offender Accountability and Treatment Act

**Primary Sponsor:** Parker, J

**Status:** As Introduced

\_\_\_\_\_  
Sponsor signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
David Ewer, Budget Director

\_\_\_\_\_  
Date

## Fiscal Summary

	<b><u>FY 2006 Difference</u></b>	<b><u>FY 2007 Difference</u></b>
<b>Expenditures:</b>		
General Fund	\$0	\$0
<b>Revenue:</b>		
General Fund	\$0	\$0
<b>Net Impact on General Fund Balance:</b>	\$0	\$0

- |   |  |
|---|--|
| <input type="checkbox"/> Significant Local Gov. Impact    | <input checked="" type="checkbox"/> Technical Concerns |
| <input type="checkbox"/> Included in the Executive Budget | <input type="checkbox"/> Significant Long-Term Impacts |
| <input type="checkbox"/> Dedicated Revenue Form Attached  | <input type="checkbox"/> Needs to be included in HB 2  |

## Fiscal Analysis

### ASSUMPTIONS:

#### **Judicial Branch**

1. This bill allows District Courts to establish voluntary adult drug offender accountability and treatment programs. There are currently Drug Courts established in Great Falls and Bozeman. These courts are funded through local government and private resources. The Judicial Branch assumes this legislation would not impact Family and Youth Drug Courts, which are funded through the Judicial Branch with federal funding. Family Drug Courts are currently operating in Billings, Lewistown, Butte, and Miles City. Youth Drug Courts are currently operating in Missoula and Superior.
2. New Section 5 of this legislation deals with treatment and support services for drug offenders in the drug offender accountability and treatment programs. The Judicial Branch assumes that the costs related to this section would be borne by Department of Public Health and Human Services.
3. The Judicial Branch is not aware of any other federal funds available for the purpose of drug offender accountability and treatment programs.
4. The Judicial Branch does not have any other funding available for these programs.
5. This bill has no fiscal impact on the Judicial Branch.

## **Fiscal Note Request HB0721, As Introduced**

(continued)

### **Department of Health and Human Services (DPHHS)**

6. There are no existing or known federal awards received by the Department of Public Health and Human Services (DPHHS) that allow for funding of a drug treatment court.
7. Therefore it is assumed that no funds could be deposited in the new federal special revenue fund established by Section 7 of this bill.
8. It is assumed the treatment and support services required in Section 5 would follow established treatment services already provided by the DPHHS and that no new services would be offered as a result of this bill.

### **TECHNICAL NOTES:**

1. The bill authorizes the establishment of drug courts in district courts but does not appear to limit the establishment based on available funding. There currently is no state general funding available for establishing drug court programs.
2. This bill New Section 7 needs clarification, as the bill requires funds received to be in Department of Public Health and Human Services, yet the Judicial Branch would incur the expenses of the programs developed under this legislation.
3. New Section 7 (3) may require funding of research for a period of 5 years. There are no known federal or other funding sources currently available to meet this requirement.
4. New Section 7 (2) requires offenders to contribute towards costs. If these funds come back to the state, a state special revenue fund may be required.